percentage been fixed for repatriation by multinational companies out of their profits?

SHRI DINESHBHAI TRIVEDI: Even neem is being patented.

THE DEPUTY CHAIRMAN: I think you are behind time.

SHRI P. CHIDAMBARAM: Madam, both Dr. Joshi and Dr. Masthan, I believe, are raising a fundamental question which I will answer. Also each one has to answer it himself. Are we going to allow product patents for our Ayurvedic, Unani and Siddha medicines? The question is: if it is already in the public domain, what is the impact of a patent law?

As I said, Madam, what you can patent is only something which is new, which is inventive and which has an industrial application. Something which is already in the public domain is not new, it is not inventive and it cannot be patented.

In regard to Dr. Masthan's question, it is difficult to answer it in a hypothetical situation. What have they done with this extract? If it is new, if it is inventive and if it is for an industrial application, the law of another country could well provide for a patent.' Our law today does not provide for a patent for it.

Responding to Dr. Joshiji, I think, there is an Indian medicine pharmacopoeia— I am not very sure—a rudimentary pharmacopoeia which does record all our Ayurvedic and other medicines, but, I will find that out and let him know about it. If there is no pharmacopoeia to that effect, we should have a pharmacopoeia. If anyone tries to take something which is already in the public domain, calling it new or invented, surely, we must resist that approach. But, I think eventually, what Dr. Joshi seems to think—I gather that that is his line of thinking—is that we have to protect our researchers, our inventors. We will have to move some day or the other in some form or the other to protect our research, the efforts of research and the results of research by our own researchers.

SHRI NILOTPAL BASU: Madam, I can concede that the Minister's statement is, perhaps, a half-truth because he says that products are patented outside and that they are not recognised in this country. But, I think, as part of the GATT, we have recognised exclusive marketing rights. So, whether it is recognised in this country as a patent or not is really immaterial. So, what the Minister is saying here is a half-truth. I want him to respond to this.

SHRI P. CHIDAMBARAM: Madam, these are matters of perception The point is whether our law allows patenting today. I have said that our law does not allow product patents for drugs. Our law does not allow systems of medicines to be patented. If the laws of other countries have such provisions, it is their sovereign right. Let us not mix ur) pipeline protection with the law as it stands today. We are a signatory to GATT. We have a ten-year transition and in return for the ten-year transition, we have to provide a certain limited protection of a mail box. This has been explained many times. I do not think this comment really arises from the answer that I have given to this question.

THE DEPUTY CHAIRMAN: Question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

चीन के कोयला क्षेत्र में भारतीय सहायता

*103. **श्री अनन्तराय देवशंकर दवे :** क्या कोयला मंत्री यह बताने की कृपा करेंगे किः

(क) क्या चीन ने अपने देश में कुछ कोयला खनन परियोजनाओं के विकास के लिए भारत सरकार की सहायता की मांग की है,

(ख) यदि हां, तो तत्संबंधी ब्यौरा क्या है, और

(ग) इस संबंध में सरकार की क्या प्रतिक्रिया है ?

कोयला मंत्रालय में राज्य मंत्री (श्री जगदीश टाइटलर) : (क) से (ग) चीन द्वारा भारतीय विशेषज्ञता के साथ 3 ओपनकास्ट कोयला, खनन स्थलों का आयोजना तथा विकास किए जाने हेतु विनिर्दिष्ट किया गया है । हाल ही में, एक छः सदस्यीय भारतीय विशेषज्ञ दल के चीन में स्थित विनिर्दिष्ट किए गए स्थलों का दौरा किया है और इस मामलें में आगे कार्रवाई किए जाने हेतु चीन के सम्बद्ध प्राधिकारियों के साथ विचार-विमर्श किया है । चीनी पक्ष की ओर से सकारात्मक प्रत्युत्तर प्राप्त हुआ है ।

योजना बजट के अंतर्गत सुपर बाजार

*105. **श्री कनकनसिंह मोहनसिंह मंगरोला** : क्या नागरिक आपूर्ति, उपभोक्ता मामले और सार्वजनिक वितरण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार सुपर बाजार को केन्द्रीय भंडार और अन्य सहकारी उपभोक्ता भंडारों के समान योजना बजट के अधीन लाने के प्रस्ताव पर विचार कर रही हैं, और

(ख) यदि हां, तो तत्संबंधी ब्यौरा क्या है और यदि नहीं, तो इसके क्या कारण हैं ?

नागरिक आपूर्ति, उपभोक्ता मामले और सार्वजनिक वितरण मंत्री (श्री खूटा सिंह) : (क) और (ख) केंद्रीय क्षेत्र के तहत उपभोक्ता सहकारी समितियों के विकास के लिए योजना स्कीम के अंतर्गत भारत सरकार, सुपर बाजार को अंश पूंजी, ऋण तथा अनुदान सहायता के रूप में वित्तीय सहायता मुहैया करा रही है । सुपर बाजार पहले ही केंद्रीय सरकार के योजना बजट से वित्तीय सहायता प्राप्त कर रहा है । सुपर बाजार को 1966-97 से 1994-95 तक प्राप्त हुई वित्तीय सहायता का ब्यौरा संलग्न विवरण में दिया गया है ।

विवरण

सुपर बाजार

दी कोआपरेटिव स्टोर लि0

नई दिल्ली

सुपर बाजार को 1994-95 तक दी गई वित्तीय सहायता

(लाख रु0 में)

	वर्ष	अंश पूंजी	ऋण	अनुदान	कुल
दिल्ली प्रशासन द्वारा					
	1966-67	16.9S	16.60	—	—
	1967-68	14.0S	5.97	5.85	—
	1968-69	—	2.18	—	80.58
	1969-70	10.76	8.22	—	—
		41.76	32.97	S.8S	80.58
मंत्रालय द्वारा					
	1970-71	25.00	40.00	—	65.00
	1971-72	—	3.81	1.19	5.00
	1972-73	—	0.65	0.18	0.83
	1973-74	—	3.50	1.00	4.50
	1974-7S	—	8.00	—	8.00
	1975-76	6.98	11.97	0.96	19.91
	1776-77	3.00	15.42	1.59	20.01
	1977-78	—	0.75	0.25	1.00
	1978-79	6.25	7.75	2.00	16.00
	1979-80	1.50	0.90	0.60	3.00
	1980-81	2.25	1.35	0.90	4.50
	1981-82	4.50	3.38	1.73	9.61